

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING THE INFORMATION

Required by a resolution of the House of Representatives,

RESPECTING THE

Lead Mines of Missouri.

MAY 7, 1822.

Printed by order of the Senate of the United States.

WASHINGTON:

PRINTED BY GALES & SEATON.

1822.

MISSOURI

PRESIDENT OF THE UNITED STATES

TRANSMITTING THE RECORDS

Preserved by a resolution of the House of Representatives

RECORDED

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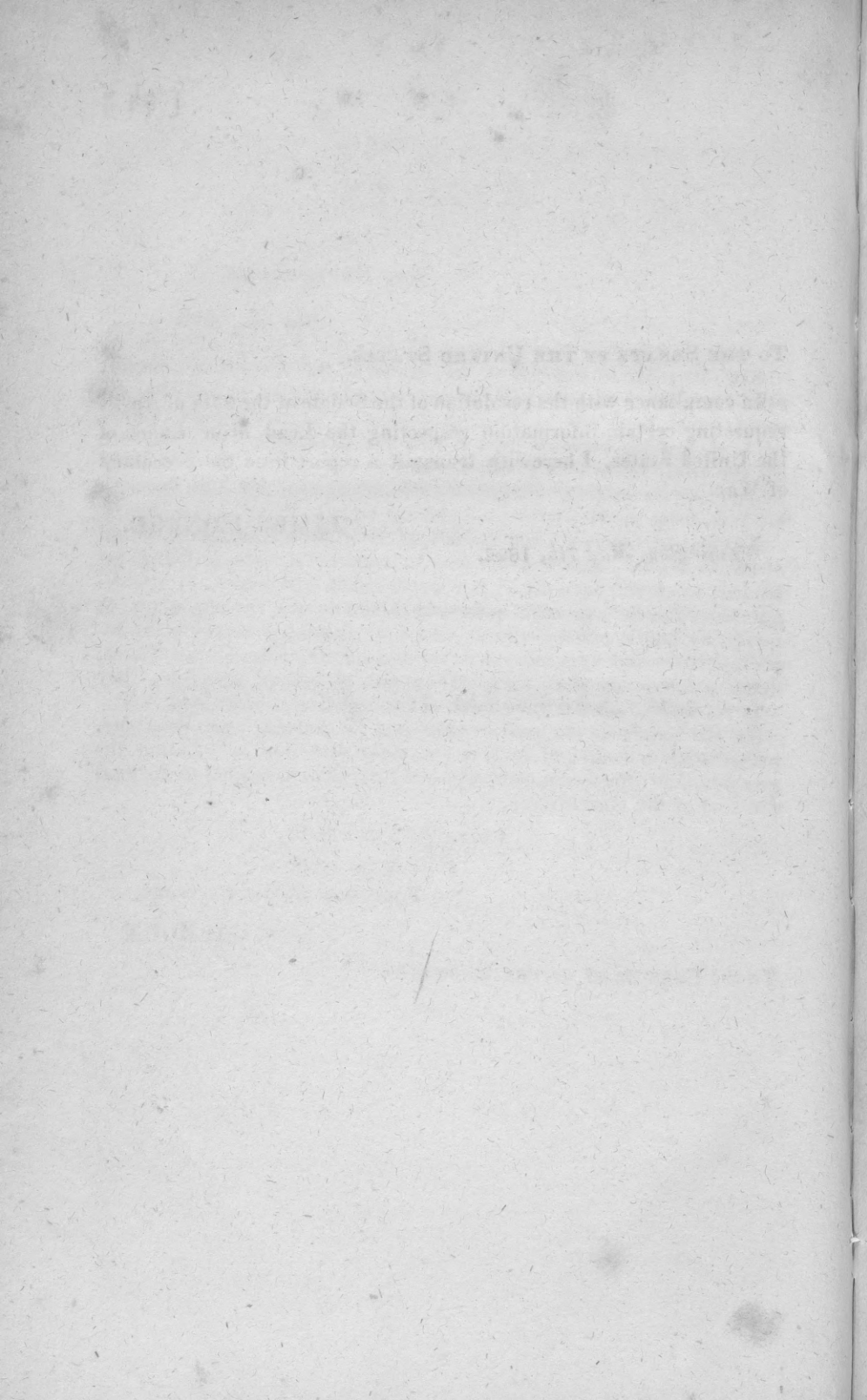
1857

TO THE SENATE OF THE UNITED STATES.

In compliance with the resolution of the Senate of the 25th of April, requesting certain information respecting the Lead Mine Lands of the United States, I herewith transmit a report from the Secretary of War.

JAMES MONROE.

Washington, May 7th, 1822.



WAR DEPARTMENT,

May 3d, 1822.

SIR: In reply to the call of the Senate of the 25th of last month, relative to the lead mines of Missouri, and referred to this Department, I have the honor to transmit, herewith, sundry papers (marked A, B, and C,) received from the office of Ordnance, which embrace all the information which this Department is, at this time, enabled to give upon a subject, which was referred to it on the 29th November last, from the Department of the Treasury.

The papers received from that Department were transferred to that of the Ordnance, with instructions to report thereon; it being intended, when the business of the Department will admit, to investigate the subject; and after maturing the necessary arrangements, to invite, by public advertisement, under the leading features of the report, settlers and workmen upon the mine-lands of the United States; under a conviction that, with suitable aid, and strict attention, they may be made a productive source of revenue.

In the interim, the parties applying for leases, have been furnished with a sufficient outline for their direction in locating the grounds, and effecting a completion of their leases, subject to the final decision of the Executive.

I have the honor to be,

With great respect,

Your most obedient servant,

J. C. CALHOUN.

To the PRESIDENT OF THE U. STATES.

ORDNANCE DEPARTMENT,

May 3d, 1822.

SIR: In obedience to your directions I have the honor to submit, herewith, copies of all the documents on record in this office which have relation to the lead mine lands of the U. States, and furnishing all the information called for by the Senate on the 25th of April, which this department is at this time enabled to give upon the subject.

The papers referred to are as follows:

Those marked A, containing the letters addressed from this office to the persons applying for leases of a portion of the above lands; with instructions to sundry officers, issued by the Department of War and this office, for aiding in locating and surveying the lands embraced in said leases.

That marked B, being a copy of the report made by this office to the Department of War, furnishing all the information received respecting those mine lands; with the proposal of a plan for rendering them more productive to the public revenue.

The paper marked C, containing a copy of a conditional lease, proposed by this department in the cases of Carneal and Johnson, and others, to be finally acted upon hereafter.

I have the honor to be, sir, very respectfully,

Your most obedient servant,

G. BOMFORD,

Lieutenant Colonel on ordnance duty.

Hon. J. C. CALHOUN,

Department of War.

A.

Copies of letters from the Ordnance Department, in relation to the Lead Mine Lands of the United States.

ORDNANCE DEPARTMENT,

January 4th, 1822.

SIR: I have it in direction from the honorable the Secretary of War, to state to you that he has had under consideration the proposition of Messrs. Carneal and Johnson, for leasing from the United States such a quantity of land in the state of Illinois, as the government may be disposed to grant for the purpose, on their part, of discovering and working therein the lead ore which it may be supposed to contain, on such conditions as may be mutually agreed upon.

That the Secretary is disposed to encourage the proposal, so far as to allow the said Carneal and Johnson, and they are hereby authorized, for that purpose, to proceed in the selection of such a tract of land, to the amount of one hundred and sixty acres in the said state of Illinois, as they may judge will promote their views.

That, upon such selection, they shall make a report of the same to the Department of War, designating the precise situation, boundaries, nature of the soil, and other particulars necessary to an accurate knowledge thereof.

That, upon receiving such report and approval thereof, the proposition will be taken into immediate consideration.

I am also directed to inform you, that in the want of accurate information in regard to the present situation of the mine lands of the United States generally; and in order, also, to take further time to examine into that subject, and the laws and regulations which have been passed in relation thereto, the government does not deem it expedient to do any thing further in the premises, than the permission now given to Messrs. Carneal and Johnson.

In order, however, to enable them to form a judgment of the terms and conditions upon which leases will in future be granted, a form of one is herewith furnished, and according to which, a lease will be granted to Messrs. Carneal and Johnson, in the event of their proposal being finally accepted, of which there can be little or no doubt, from the understanding which has already taken place on the subject.

It may be proper to add, that the terms of three years introduced into the form of lease, now furnished, is grounded upon the law of 3d March, 1807, which limits the duration of leases to be granted by the President of the United States to that period; but in order to balance any disadvantage which might be expected to result therefrom to the lessees, the privilege and preference to be allowed them for a renewal of their grants, will be inserted in their future leases,

and which cannot fail to serve also as an encouragement for the faithful performance of their engagements.

Very respectfully, I am sir, &c.

GEORGE BOMFORD, *Lieut. Col.*
On Ordnance duty.

The Hon. R. M. JOHNSON,
Senate United States.

Note. A similar letter was addressed to Mr. Johnson on the part of Messrs. Suggett and Payne.

ORDNANCE DEPARTMENT,

February 1st, 1822.

SIR: In the letter which I addressed to you on the 4th of last month, by order of the Secretary of War, and which communicated the outlines of a lease you might expect to be given to Messrs. Carneal and Johnson, and to Messrs. Suggett and Payne as soon as the ground was selected, I stated they would be at liberty to locate any point within the state of Illinois. It is since concluded not to limit the leases to that boundary, but to extend their privilege of selection to any point between the river Mississippi and Lake Michigan, according to the reservations and treaties of the United States, whether the same be within the state of Illinois, or the territory of Michigan; and when the selection shall be made, the parties are authorized to proceed to work the lead mines which may be discovered, in conformity with the former stipulations.

Very respectfully, &c.

GEORGE BOMFORD, *Lieut. Col.*
On Ordnance duty.

Hon. R. M. JOHNSON,
Senate United States.

ORDNANCE DEPARTMENT,

13th February, 1822.

SIR: I have it in direction from the honorable the Secretary of War, to state to you, that measures are in contemplation requiring the co-operation of this department, and that you have been appointed, in order to render such assistance as in the service (herein more fully detailed) shall be deemed expedient and necessary.

The government, through the Department of War, in the beginning of last month, granted conditional leases of lands, in the state of Illinois, (supposed to contain lead ore,) to Messrs. Carneal & Johnson, and Messrs. Suggett & Payne, amounting to 160 acres to each of the two parties. A copy of those conditional leases is herewith furnish-

ed to you, as explaining the views of government in regard to such grants in general. It has since, however, been determined not to confine the locations alluded to, to the state of Illinois, but to extend the privilege to the lands ceded in 1816, by the Chippewas, Ottawas, and Pottowatamies, as is more fully described in the extracts from the treaty enclosed to you herewith, and by which you will be governed on that head. You will immediately upon the receipt of this order, prepare yourself to meet the lessees already named, on or about the 1st of March, at the "Great Crossings" of Kentucky, and proceed with them in exploring the country where the locations are likely to be made; and when the sites shall be determined on by the lessees, and decisive measures taken to work the same, that you make, or cause to be made, accurate surveys thereof, designating not only the precise situation of the grounds, but of so much of the lands and country immediately adjoining, and more or less distant, as shall convey to government accurate knowledge of the whole; furnishing likewise such plats or maps, as may serve for record in the Department of War.

You will cause due care to be taken, to avoid the interfering, by the present parties, with any locations or works, on lead mine lands, which may appear already established, under proper authority; but as the old leases from the United States (within the knowledge of the Department of War,) have expired, few or none, it is believed, can arise. A report, however, must be rendered of every discovery that shall be made by you, or the parties with whom you shall be acting, of all lead mines, and of leases, if any thereof, in order that government may be enabled to grant proper conveyances in future, and avoid interfering with old rights or claims, which may have been sanctioned by the United States.

You will also take every step which shall be in your power, to satisfy any inquiries or remonstrances that may be made by any of the Indian tribes, and regular settlers, as to the authority under which the present lessees, and yourself, shall be acting; and of the views of government generally, giving, jointly with the Indian agent, every support to the lessees which shall enable them to proceed without interruption or injury in their contemplated locations and works.

In addition to this aid, it is contemplated to give the support and countenance that may be derivable, from the appearance of a small portion of the regular troops, which may be found conveniently stationed for that purpose; in which case (their being employed at all,) you will act according to the orders which may have been given by the Department of War, to the commanding officer, and to the nature of the service, in which you will be thus mutually engaged; carefully avoiding all hostile aggression upon, or collision with, the Indian tribes or the regular settlers and miners.

It will be expected and required, that you render to this office a monthly report of your proceedings, and oftener, if circumstances should admit thereof.

An extensive field for observation will be presented to you in the course of your intended operations, of which it will be expected, that you will take every practicable opportunity for obtaining information upon all points relative to lead mine and mineral lands of the United States, that may prove useful to the government, in the prosecution of their future views and measures, and which, if performed with judgment and accuracy on your part, may tend to your own personal advantage, by thus recommending yourself to the favorable notice of your government.

Respectfully, &c.

GEORGE BOMFORD, *Lt. Colonel.*

On ordnance duty.

Lieut. CLARK BURDINE, *of the Artillery,*
On ordnance duty at Washington.

DEPARTMENT OF WAR,

February 13th, 1822.

SIR: Conditional leases were granted on the 4th January, ultimo to Messrs. Carneal and Johnson, and to Messrs. Suggett and Payne, (all of Kentucky,) for 160 acres of land to each of the two parties, to be located in the state of Illinois, (and to be more precisely described hereafter,) for the purpose on their part of working any lead mines which may be discovered by them within said tract. It has since been agreed that the said location shall not be confined to the state of Illinois, but that the privilege shall be extended to any part of the lands ceded by the Ottawa, Chippewa, and Pottowatamie tribes, or nations of Indians to the United States, at St. Louis, on the 24th August, 1816, conformable to the treaty herewith enclosed. And you are hereby required to hold yourself in readiness, and to proceed with the before mentioned lessees, whenever they shall apply to you for that purpose, to the lands where they shall expect to open and work the lead mines, contained therein, and within the bounds, or extent of their lease, in order that you may explain to the Indians the views of the government in granting said leases; in order to secure to the persons holding the same, the uninterrupted prosecution of their location, and subsequent works and operations therein.

You will use as much dispatch in the performance of this service as its nature may admit, and transmit to this Department an early report of your proceedings, together with such other information in regard to the particular object in view, and of the situation of other lead mines discovered and worked in the countries named in the present grant or lease, as may prove useful to the government in their future views and operations in that quarter.

Respectfully, &c.

JOHN C. CALHOUN.

THOMAS FORSYTH, Esq.

Indian Agent, St. Louis, Missouri.

Note.—Similar letters were addressed to Alexander Woolcott, jr. and Nicholas Boilvin, Indian Agents on the Mississippi.

ORDNANCE DEPARTMENT,

April 15th, 1822.

SIR: The applications addressed to you by Messrs. Duff Green and others of Missouri, for leases of lead mine lands from the United States, and communicated by you to the Hon. Secretary of War, have been laid by him before this Department, in whose charge the issuing of such leases, under the sanction of the Department of War and the President of the United States, has recently been placed.

I have therefore the honor to state to you for your information, that, until the business of the lead mine lands can be revived under new and better regulations, and more full and direct information attained in regard thereto, (and for which measures are now taking) the government has concluded to grant leases of small extent, say 160 acres of land to each applicant or company on certain privileges and conditions, the principle of which are: To continue for three years, the two first to be free from rent, and on the third a rent of one tenth of the mineral raised to be paid to government; the lessees to have the privilege of wood to erect their works, use of water, &c. usual in such cases, to be paid at a certain valuation for the improvements they shall have made at the close of the lease, if not removed by them, on the land located and worked; the selection of the land and the commencement of the works (of mining) to be within nine months from the date of the lease, under penalty of forfeiture thereof, and no sub-leases allowable.

Should you think proper to desire leases for the applicants now named, this office will be prepared, under the direction of the Secretary of War, to take such measures as may be deemed requisite.

Very respectfully, &c.

GEORGE BOMFORD,

Lt. Col. on Ordnance duty.

Hon. N. EDWARDS,
Senate United States.

ORDNANCE DEPARTMENT,

April 20th, 1822.

SIR: Your letter to this Department of the 18th inst. requesting that leases of lead mine lands may be issued to Messrs. Green and Estis, of Missouri, is received.

I have it in direction to state to you that, previous to making an absolute lease of the lands, it will be expedient, in the present want of accurate information as to the precise situation of the mines, and adjacent country where they wish to make their location, that they

fix upon the sites, which shall not interfere with any previous grants or leases legally given and established; that they cause a regular survey to be made of the quantity of land (160 acres each) and a plat or map of the same be transmitted to this office, duly certified by an United States' surveyor; upon the receipt of which they will be laid without delay before the Secretary of War for examination. The documents received from the General Land Office leave this Department in doubt as to the topographical and geographical lines and limits of the mine lands within the lands belonging to the United States; and, until an agent or agents shall have been appointed to ascertain those points, and others connected therewith, this department can do no more than grant this general authority for location, to be thereafter acted upon, when the same shall have been regularly reported for confirmation.

Very respectfully, &c.

GEORGE BOMFORD,

Lt. Col. on ordnance duty.

Hon. N. EDWARDS,

Senate United States.

ORDNANCE DEPARTMENT,

May 3d, 1822.

I certify the foregoing to be true copies from the original records of this office.

GEORGE BOMFORD,

Lt. Col. on ordnance duty.

B.

Report from the Ordnance Department to the Honorable Secretary of War, respecting the Lead Mines of the United States.

ORDNANCE DEPARTMENT,

30th March, 1822.

SIR: Conformably to your directions, I have had under examination the papers received from the General Land Office, which have a relation to lead mine lands of the United States, and respectfully beg leave to offer the following report thereon.

Those papers or documents were found to consist of communications (letters and reports,) of unconnected series, from the public agents of the United States to the Treasury Department; copies of petitions for grants, and of leases made thereon; and decisions of the commissioners of the United States on old claims; together with other miscellaneous papers; from which a regular account cannot be given of those lands and mines, or of all the proceedings, public and private, which have formerly taken place respecting them.

The latest dates of any of the papers are of the year 1817, but the greater part are of a much earlier period. No books of records of

leases made, or proceedings of commissioners and agents, or of moneys or mineral received or expended, have accompanied the papers received.

From those documents, however, it would appear, that lead ore is computed to commence at mine a la Motte, in the county of Genevieve, Missouri, extending in a northern direction as far as mine a Dubuque, below Prairie du Chien, on the west side of the Mississippi, and probably across the river at that place, averaging in breadth about 25 miles from east to west; that most of the mines worked were in Washington county, St. Louis district, about 35 miles south of the river Missouri, their extent about 50 miles in circumference. Those particularly noted are: Mine a Burton, near the centre of them, (the whole number is stated at 33 to 45,) Mine a la Motte, the most extensive in the range, and in Madison county; Shibboleth Mines, discovered in 1811, and very productive. (A Mr. Smith was a claimant for a part, and also a Mr. Lebeaume.) Mine Renault, Bryan's Mines, and Mine a Martin.

In addition: Mines a Dubuque, very extensive and rich, within the territory detached from the state of Missouri, on the west side of the Mississippi, below Prairie du Chien, the title to which appears to have remained unsettled, being claimed by heirs or assignees of Dubuque, and by A. Chouteau, and great injury is supposed to have resulted to the United States, from those and other claims not having been satisfactorily adjusted by the former commissioners.

Mines of lesser magnitude were worked in various sections of the late Missouri territory, and other districts on the Mississippi, of the actual value or proceeds of which there appears no precise or authentic account from the papers received. There are, also, in the state of Illinois, numerous mine lands, and chiefly in the district ceded by the Sac and Fox Indians, some of them contiguous to the Rock river, and others nearly bordering upon the Mississippi; others within the United States reservation in the south east part of that state. Recent verbal information, from respectable authority, also states the existence of lead mines in that part between the southern boundary of Lake Michigan and the river Mississippi, ceded in 1816 by the Ottawa, Chippewa, and Pottawatamie tribes or nations of Indians to the United States. In addition, all the accounts agree in representing that new discoveries of lead mines were continually making, and many, it was supposed, were kept secret, until purchases of the lands could be made of the United States.

The towns of Burton and Potosi were the principal settlements in the Missouri mine tracts. Herculanum, on the Mississippi, 35 miles from the mine a Burton, and Genevieve, lower down the river, were the principal places of depot of lead for transportation.

The leases which appear to have been formerly granted, have expired; and it is stated by respectable persons, that there are at present no mines known to be worked in any of the mining districts, under any regular leases or authority; but that many in the last year were worked in the state of Missouri without such authority, and chiefly by new settlers and emigrants.

Of the value of the mines, it may be noticed, that Mine a Burton was computed to yield about 500,000 pounds of mineral per annum; and that the Shibboleth mines might have been made to produce to the United States about \$10,000 per annum. Mr. Schoolcraft, in more recent accounts, states the receipts of lead from the mines as probably rising beyond three millions of pounds per annum, (from the mines of Missouri,) and his verbal information, given at this office since, rates the receipts of 1821 at a much greater amount.

The lessees of mining lands, it was stated by one of the informants of the Treasury Department, had not been properly supported by government; having been constantly involved in law suits and disputes with claimants under old Spanish grants, and by intruders, which proved often ruinous to their undertakings.

From the various evidence adduced, there can be no doubt but that all the mines might be made more and greatly productive under new and better regulations. There does not appear, among the papers now produced, any account of what has been the actual receipt, by the United States, of the mineral raised from the numerous discoveries of lands producing it; and indeed, it would, on the contrary, appear that no rents have been received from them. The value of those lands and mines cannot, therefore, be estimated but from general information, as already given in this report. Many of those which have been worked, are supposed to be inexhaustible; and suitable encouragement in future would, there can be no doubt, lead to additional and equally valuable discoveries. Among other means which might be devised for rendering the mine lands more productive to the United States, I would respectfully suggest the following:

An agent or commissioner to be appointed and established in a central position, for the principal mining districts: empowered to grant new leases, to hear all complaints, and fully authorized to give prompt redress, and to act as a general guardian of the whole public domains; that he should be accompanied by a competent commissioned officer, in order to make surveys of the mining lands, which should be found to belong to the United States, and of new discoveries; and to make frequent and regular reports of such surveys and every other information obtained, as to the quantity of mineral produced. The agent to be charged with keeping an office of record of all leases and surveys.

Large leases, or monopolies of large tracts of mining lands to be prohibited, by granting them in small parcels of 160 to 200 acres: it having been discovered that they have formerly been issued in tracts of several thousand acres, and that no beneficial effects had resulted from such an extension.

The duration of the leases to be agreeably to the law of 1807, for three years; the two first to be free from rent, and the lessee to have the privilege and preference (on his having duly complied with its stipulations,) of renewal at the expiration of his lease, which provision would serve as an encouragement to work the mines without waste, and leases should become void if not worked within nine months from the date thereof.

The lessee to be debarred from underletting or transferring any part of the lands leased to him, under the penalty of forfeiture of such lease.

The improvements made by the lessee (buildings, works, &c.) to be repaid by government, or the succeeding lessee, at a fair valuation; but the United States not to pay, in any case, more than one half the produce of the rent which shall have been actually received.

The rate of annual rent to be one tenth of nett proceeds, to be paid in mineral, clean and prepared for smelting, or an equivalent in lead, quarterly or semi-annually, at some convenient place of depot, to the agent empowered by government.

The United States to have the privilege of inspecting, through its agent, from time to time, the progress making by the lessees in their works, receiving an account of their produce; and to enforce, if necessary, a compliance with their engagements.

That security be required for the faithful performance of all leases.

That as soon as the leading or general information now collecting and arranging by this office shall be consolidated, lessees be invited by public advertisement throughout the United States, upon the preceding conditions; in order that full information may be afforded, and a fair competition excited for rendering the mine lands of the United States productive, in the highest practicable degree to the public revenue.

I beg leave to add, that this report would have been prepared sooner, but from the expectation of collecting, from other sources than the documents alluded to, some additional information: and that the officer recently sent from this department with your sanction to the mine land districts in Illinois, will probably furnish within a few months, such further intelligence as may serve as a surer guide to future operations.

Respectfully submitted,

GEORGE BOMFORD,

Lt. Colonel, on ordnance duty.

To the Hon. JOHN C. CALHOUN,

Department of War.

ORDNANCE DEPARTMENT,

8d May, 1822.

I certify the foregoing to be a true copy from the original report rendered to the Department of War.

GEORGE BOMFORD,

Lt. Colonel, on Ordnance duty.

C.

*Form of a Lease of Mine Lands, proposed by the Ordnance Department,
in the case of Carneal and Johnson.*

THIS INDENTURE, made and entered into this — day of — 1822, between —, agent for the government of the United States, of the one part, and Thomas D. Carneal and Benjamin Johnson, of the state of Kentucky, of the other part, Witnesseth: That the said agent, as aforesaid, for and in consideration of the rents, covenants, and agreements, hereafter mentioned, doth, by these presents, grant, demise, lease, and to farm let unto the said Carneal and Johnson, their heirs and representatives, one hundred and sixty acres of land, the property of the United States, lying and being in the state of Illinois, and in the vicinity of Rock river, to be more particularly located as hereinafter mentioned. To have and to hold the said land and premises, with its appurtenances unto the said Carneal and Johnson, their heirs and legal representatives, for the full term of three years, from and after the time the said land shall be designated, and the mining and manufacturing of the lead therein commenced by said Carneal and Johnson, their heirs, &c. upon the considerations following, to wit: That the said Carneal and Johnson shall, during the continuance of the aforesaid term of three years, be at liberty to dig for, and take from any part of the said land, as much lead ore as they may think fit; also, to erect thereon such buildings and works for the manufacture of lead, and for the accommodation of those who shall be engaged in the establishment, as, in their opinion, the success of the undertaking may require. Said improvements to be valued at the termination of this lease, and to be paid for by the United States, or by the subsequent lessee, if rented to any other than the said Carneal and Johnson. Provided, that the United States shall not pay more for said improvements than one half of the amount of the lead which shall have been previously received by Government on said lease. Secondly. That, inasmuch as the precise ground cannot be selected at this moment, it is hereby covenanted and agreed, between the parties aforesaid, that the said Carneal and Johnson shall make a selection of the precise ground they mean to occupy, and commence the working of the lead mines upon said land, within the period of nine months from this date; and, upon failure to make such selection and to commence such work within the time herein prescribed, this lease shall be null and void. Third. That said Carneal and Johnson shall have the benefit of said mines for the term of two years, free from the payment of any rent whatever; and said Carneal and Johnson engage and bind themselves and heirs to pay to said agent aforesaid, or to his order, or to the order of the Government, one tenth part of all the mineral which shall be collected from said mine or mines of lead during the third year of this lease, quarterly, or otherwise, as said agent or the government may require; the mineral to be clean and prepared for smelting, to be delivered at the

works upon the land to said agent, or any agent of the Government. Fourth. That the said Carneal and Johnson shall be at liberty to clear, enclose, and cultivate, any part of said land, from whence the wood shall have been taken for said lead works; but they shall cut no timber but what shall be necessary for buildings, fencing, and the operation of said manufactory; and, generally, shall commit no waste. Fifth. That said Carneal and Johnson engage to render to said agent, or the government, a quarterly account of all the minerals raised at the digging or diggings in which they may engage. Sixth. The United States shall at all times have the privilege of inspecting the operations and books and papers relative to working said mines, or any of them, by the said Carneal and Johnson, on the lands aforesaid, to ascertain the quantity of lead manufactured by them, or to demand a compliance with all the conditions stipulated herein.

It is, also, hereby conditioned between the parties, that this lease shall not in any manner, interfere with any previous lease, if such lease should be in operation, otherwise that said Carneal and Johnson have the right to make the location of the said one hundred and sixty acres of land, and when so located the same shall be meted and bounded by the agent of the government of the United States, whenever he shall be sent for that purpose, and his report of the metes and bounds shall be the boundary of said Carneal and Johnson. It is further expressly stipulated and agreed upon between the contracting parties hereto, that the said Carneal and Johnson shall not, in any manner, make sub-leases of the premises, under the penalty of a forfeiture of the lease; and it is, also, expressly agreed and stipulated, that the said Carneal and Johnson shall have the privilege, or right, to renew the lease at the termination of the three years as aforesaid, and the said agent agrees to give the preference to said Carneal and Johnson, for said renewal, over all other persons; provided the stipulations and conditions of this lease be complied with by said Carneal and Johnson.

Signed, sealed, &c. &c.